

From _____ Big Cypress Stakeholders Group and Others
To _____ Superintendent Pedro Ramos
and
ORV Advisory Committee

Superintendent Ramos and ORV Advisory Committee:

In a meeting with Superintendent Ramos on August 27 2012 the Big Cypress Stakeholders Group Membership addressed about a dozen items of a major list of about two dozen items of major concern regarding ORV access and other management shortfalls by the NPS in the Big Cypress Preserve. Even though we very much appreciate the Superintendent taking his time to meet with us, the results of this meeting was pretty much business as usual including a litany of possibly maybes. No clear answers including any kind of timeline etc.,.

By far the two most critical management shortfalls in the Preserve is, [1] Maximum 400 miles of ORV Trails
and [2] lack of Use Areas along with ORV Trails.

ITEM NUMBER ONE

Maximum of 400 miles of Primary ORV Trails in the existing Preserve.

For the benefit of the members of the public and members of the ORVAC who may not be aware of exactly how the maximum of 400 miles of Primary ORV Trails was established in the existing Preserve, here are the facts:

A. The 1974 legislation that established the Big Cypress National Preserve assured the public their continuing Traditional Cultural Access Rights to the Preserve including Hunting, Fishing, Camping, Frogging and ORV [Swamp Buggy and Airboat] access to the Preserve.

B. The intent of the legislation was to allow Traditional ORV and other access rights to the Preserve using the established existing ORV Trail System.

C. Even though there was no reference or intent in the legislation of a limited mileage ORV trail system, we agreed to go forward in working with the Park Service to establish a Primary ORV trail system.

D. Public meetings were held In the late ninety's to establish a Designated Primary ORV trail system. This process included numerous all day workshops, map marking etc.,. Participants of these meetings were numerous leaders of area Sporting and Outdoor groups and members of the public along with Park Service officials led by then Preserve Superintendent John Donahue. As a result of these meetings it was clearly agreed and established between the public and the NPS that the Park Service would go forward with implementing 1500 miles of Primary ORV Trails in the existing Preserve.

E. With no further notice, public discussion or public input, the Park Service opted overnight to allow only 400 miles of Primary ORV Trails in the existing Preserve, not the 1500 miles agreed upon. We expect to produce evidence that the maximum of 400 miles of ORV Trails was in large part due to an out of court settlement agreement between the Park Service and the Bio-Diversity Project dated October 25 1995.

ITEM NUMBER TWO

Lack of Use Areas along with ORV Trails

For the benefit of the members of the public and members of the ORVAC who may not be aware of the fact that Use Areas could have and should have been included as part of the ORV access system, please be aware of the following facts.

A. In the settlement agreement between the Park Service and the Bio-Diversity Project date October 25 1995 the Park Service agreed to implement a system of Designated ORV Trails and/or Use Areas.

B. A large percentage of the Preserve [30 to 40%] is high and dry Pine and Palmetto uplands. These areas could have and should have been designated as ORV Use Areas. This would result in less overall impact on these areas due to vehicles being spread out over the areas and would provide public access

much closure to what was intended in the legislation. We have been informed by FWC and NPS people over the years that Swamp Buggy traffic would have no negative impact on these Pine and Palmetto Upland areas. The surface of these upland areas is generally solid cap rock.

These two items are the root core of the management shortfalls in the Preserve. If we had the 1500 miles of ORV trails as agreed, we and the ORVAC would not have had to beat our heads against the wall for half a decade trying to make a silk purse out of a sow's ear as in being forced to accomplish a reasonable ORV Trail system with only 400 miles of primary trails available. This is exactly what created the secondary ORV trail dilemma we face today. If we had upland Use Areas along with Designated ORV Trails as we could have and should have, this would have greatly uncomplicated the task of creating a reasonable ORV access system as intended in the legislation.

The Big Cypress Sportsmen's Alliance has made numerous requests both verbally and in writing over the past decade requesting written explanations as to the details of the formal process followed by the Park Service regarding items One and Two above. To date we have received no written explanations regarding either item.

Superintendent Ramos stated in our August 27 2012 Stakeholders Group meeting that the NPS followed the proper process regarding establishing the results in the items One and Two referenced above. Since the Park Service operates under the sunshine law, we trust the Park Service will be agreeable to clearing up the questions by providing details of the meetings regarding items One and Two above. If the Park Service fails to produce this requested information in a timely manner, we are prepared to go through the 119 Freedom of Information Act to obtain the information or proceed with litigation with the latter being our most likely option.

Please consider this letter the formal request of the Big Cypress Stakeholders Group and Other signing on this letter for the Park Service to provide the details of meetings regarding items One and Two above. By details we mean dates of meetings regarding the two items including, agenda of meetings, minutes of meetings, video and audio of meetings, scientific evidence presented, e-mail communications of meetings etc.. Bottom line, we are looking for direct justifiable evidence of how we went from 1500 miles to 400 miles of ORV trails. We are looking for a record of the formal discussions in which the Use Areas was addressed, what agencies, what individuals, when, where and what was said by whom.

We encourage the ORVAC to make a formal request to the Park Service for the NPS to produce detailed documentation of how the 400 miles of Primary ORV Trails and the lack of Use Areas were developed and what scientific documentation was presented that guided the Park Service to make the decision to permit only 400 miles of Primary ORV Trails and to disallow Use Areas along with Designated Primary ORV Trails. The ORVAC should have had this information from day one.

We are reaching out to all of the leading local and national Sporting Groups along with the membership of the groups and expect the great majority of them to sign on in full support of this request. We will also be reaching out and fully expect the support of numerous state and national magazine and media outlets.

Signing on this letter should not be considered an attack on Superintendent Ramos. These two major items of 400 miles of ORV trails and lack of Use Areas were mandated by the Park Service long before the watch of Superintendent Ramos. The public and the ORVAC simply have a right to know what the clear facts are. Having this information would go a long way toward clearing up the dilemma faced by the ORVAC, they could then go forward on solid ground.

This request letter will be posted on the ORVAC web site as well as the Big Cypress Sportsmen's Alliance Facebook page. We will be asking all to go to these web sites and express their support for this effort to establish this much needed information.

Most Sincerely
Lyle McCandless
Native Floridian

Pres. BCSA
For - BCSG
Member DMTAG